

**U.S. District Court  
Southern District of Florida (Miami)  
CIVIL DOCKET FOR CASE #: 1:17-cv-24367-JEM**

Kocaya v. Duke et al  
Assigned to: Judge Jose E. Martinez  
Referred to: Magistrate Judge Alicia M. Otazo-Reyes  
Cause: 05:0552 Freedom of Information Act

Date Filed: 11/28/2017  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****David Kocaya**

represented by **David Kocaya**  
21765-279  
Miami FCI  
Federal Correctional Institution  
Inmate Mail/Parcels  
Post Office Box 779800  
Miami, FL 33177  
PRO SE

V.

**Defendant****Elaine Duke**

*Acting Secretary for Department of  
Homeland Security*

**Defendant****Department of Homeland Security****Defendant**

**Bureau of Immigration and Customs  
Enforcement**

Date Filed	#	Docket Text
11/28/2017	<u>1</u>	COMPLAINT against Bureau of Immigration and Customs Enforcement, Department of Homeland Security, Elaine Duke, filed by David Kocaya. Filing fees \$ 400.00. NOT PAID/NO IFP FILED. (Attachments: # <u>1</u> Exhibit)(kpe) (Entered: 12/04/2017)
11/28/2017	2	Clerks Notice of Judge Assignment to Judge Jose E. Martinez and Magistrate Judge Patrick A. White. < (kpe) Modified text on 12/5/2017 (jc). (Entered: 12/04/2017)
12/04/2017		SYSTEM ENTRY – Docket Entry 3 [motion] restricted/sealed until further notice. (nc) (Entered: 12/04/2017)
12/05/2017		Magistrate Judge Patrick A. White no longer assigned to case. Magistrate Judge Alicia M. Otazo-Reyes added. (jc) (Entered: 12/05/2017)
12/05/2017	4	Clerks Notice of Docket Correction re 2 Clerk's Notice of Judge Assignment. <b>Incorrect Magistrate Judge Selected</b> ; Corrected by the Clerk. (jc) (Entered: 12/05/2017)
12/05/2017	5	Clerks Notice re: Filing Fee in the amount of \$ 400.00 – Outstanding/Pending. (jmd) (Entered: 12/05/2017)

03/06/2018	<u>6</u>	NOTICE of Filing Civil Cover Sheet by David Kocaya re <u>1</u> Complaint (mc) (Entered: 03/06/2018)
05/15/2018	<u>7</u>	NOTICE of Inquiry (copy of docket sheet mailed)by David Kocaya (mee) (Entered: 05/15/2018)
06/04/2018	<u>8</u>	NOTICE of Inquiry (copy of docket sheet mailed) by David Kocaya (mee) (Entered: 06/04/2018)
06/29/2018	<u>9</u>	MOTION for Leave to Proceed in forma pauperis by David Kocaya. (mee) (Entered: 07/02/2018)
07/03/2018	<u>10</u>	ORDER Of Reference To Magistrate Judge Alicia M. Otazo-Reyes for Report and Recommendation. Signed by Judge Jose E. Martinez on 7/3/2018. <i>See attached document for full details.</i> (vmz) (Entered: 07/03/2018)
07/05/2018	<u>11</u>	NOTICE of Filing Proposed Summons(es) by David Kocaya re <u>1</u> Complaint filed by David Kocaya (mee) (Entered: 07/05/2018)
10/19/2018	<u>12</u>	NOTICE of Inquiry (copy of docket sheet mailed)by David Kocaya (mee) (Entered: 10/19/2018)
12/17/2018	<u>13</u>	ORDER denying without prejudice <u>9</u> Motion for Leave to Proceed in forma pauperis. Signed by Magistrate Judge Alicia M. Otazo-Reyes on 12/17/2018. <i>See attached document for full details.</i> (jsa) Updated docket text that does not apply to this case on 12/17/2018 per chambers(mf). (Entered: 12/17/2018)
01/10/2019	<u>14</u>	MOTION to compel defendant to documents Reconsideration/Plaintiffs Extraordinary Prerogative Writ of Mandamus re <u>13</u> Order on Motion for Leave to Proceed in forma pauperis, by David Kocaya. (mee) Modified text on 1/11/2019 (mr1). (Entered: 01/10/2019)
01/10/2019	<u>15</u>	MOTION For Any/A11 Forms Of Discovery For Disclosure Of A11 Exculpatory/EXculpatory Evidence; &, A11 Incorporated Affidavits, Declarations & Statements Of 'Authority Jurisdiction/Venue by David Kocaya. (cqs) (Entered: 01/11/2019)
01/10/2019	<u>16</u>	APPEAL of Magistrate Judge <u>13</u> Order on Motion for Leave to Proceed in forma pauperis, to District Court (hh) (Entered: 01/11/2019)
01/11/2019	<u>17</u>	ORDER OVERRULING PLAINTIFF'S RULE 72 OBJECTIONS overruled and denying <u>16</u> Appeal/Objection of Magistrate Judge Order to District Court. <u>13</u> is affirmed. Signed by Judge Jose E. Martinez on 1/11/2019. <i>See attached document for full details.</i> (mee) (Entered: 01/14/2019)
01/23/2019	<u>18</u>	ORDER TO SHOW CAUSE. Signed by Magistrate Judge Alicia M. Otazo-Reyes on 1/23/2019. <i>See attached document for full details.</i> (jsa) (Entered: 01/23/2019)
02/05/2019	<u>19</u>	RESPONSE TO ORDER TO SHOW CAUSE re <u>18</u> Order to Show Cause by David Kocaya. (mee) (Entered: 02/05/2019)
02/05/2019	<u>20</u>	ORDER re <u>19</u> Response to Order to Show Cause. Signed by Magistrate Judge Alicia M. Otazo-Reyes on 2/5/2019. <i>See attached document for full details.</i> (jsa) (Entered: 02/05/2019)
02/27/2019	<u>21</u>	Clerks Notice of Receipt of Filing Fee received on 2/27/2019 in the amount of \$ 400.00, receipt number FLS100182160. (vt) (Entered: 02/27/2019)
04/08/2019	<u>22</u>	ORDER denying without prejudice <u>14</u> MOTION to compel; denying without prejudice <u>15</u> MOTION For Any/A11 Forms Of Discovery. Signed by Magistrate Judge Alicia M. Otazo-Reyes on 4/8/2019. <i>See attached document for full details.</i> (jsa) (Entered: 04/08/2019)

05/06/2019	<u>23</u>	NOTICE of Compliance by David Kocaya re <u>22</u> Order on Motion to Compel,, Order on Motion for Miscellaneous Relief, (Attachments: # <u>1</u> Exhibit) (mee) (Entered: 05/07/2019)
05/06/2019	<u>25</u>	Summons Issued as to Department of Homeland Security. (mee) (Entered: 05/07/2019)
05/07/2019	<u>24</u>	NOTICE of Filing Proposed Summons(es) by David Kocaya re <u>22</u> Order on Motion to Compel,, Order on Motion for Miscellaneous Relief, (Attachments: # <u>1</u> Summon(s)) (mee) (Entered: 05/07/2019)
05/14/2019	<u>26</u>	NOTICE of Inquiry (copy of docket sheet and summons issued mailed) by David Kocaya (mee) (Entered: 05/15/2019)
08/01/2019	<u>28</u>	MOTION for A Hearing to This Court, To Show & Demonstrate Their Cause & Scope of Their Arguments by David Kocaya. (Attachments: # <u>1</u> Exhibit) (nc) (Entered: 08/13/2019)
08/06/2019	<u>27</u>	MOTION for Default/Summary Judgment by David Kocaya. Responses due by 8/20/2019 (mee) (Entered: 08/06/2019)
09/13/2019	<u>30</u>	NOTICE/ "Appendant" for their criminal complaint citation for violations of their 1787–1791 Guaranteed U.S. Constitution Substantive Rights by David Kocaya (lh) (Entered: 09/16/2019)
09/13/2019	<u>31</u>	MOTION for Hearing to This Court, To Show & Demonstrate Their Cause & Scope of Their Arguments by David Kocaya. (nc) (Entered: 09/16/2019)
09/16/2019	<u>29</u>	NOTICE of Filing Discovery: Letter Request for production of Documents by David Kocaya. (Attachments: # <u>1</u> Exhibit)(lh) (Entered: 09/16/2019)
09/16/2019	<u>32</u>	ORDER denying <u>27</u> Motion for Summary Judgment; denying <u>28</u> Motion for Hearing; denying <u>31</u> Motion for Hearing. Signed by Magistrate Judge Alicia M. Otazo–Reyes on 9/16/2019. <i>See attached document for full details.</i> (jsa) (Entered: 09/16/2019)
10/03/2019	<u>33</u>	MOTION for Reconsideration re <u>32</u> Order on Motion for Summary Judgment, Order on Motion for Hearing, by David Kocaya. (Attachments: # <u>1</u> Exhibit)(mee) (Entered: 10/03/2019)
10/04/2019	34	PAPERLESS ORDER denying <u>33</u> Motion for Reconsideration. Failure to timely serve Defendants will result in dismissal without prejudice, without further notice. Signed by Judge Jose E. Martinez on 10/4/2019. (mws) (Entered: 10/04/2019)
10/08/2019	<u>35</u>	REQUEST for A Ex Parte Judgment by Nibil Dicit by David Kocaya. (nc) (Entered: 10/08/2019)
10/08/2019	<u>36</u>	REQUEST A Nil Dicit No–Answer Default Judgment In Rem by Nibil Dicit Judgment by David Kocaya. (nc) (Entered: 10/08/2019)